



COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

729 N.E. Oregon, Suite 200, Portland, Oregon 97232

Telephone (503) 238-0667

Fax (503) 235-4228

www.critfc.org

SYSTEM OPERATIONAL REQUEST: 2001 C-4

TO:	Brigadier General Strock	COE-NWD
	Steven Wright	Acting BPA Administrator
	William Branch	COE-NWD-NP-Water Management
	C. Henriksen, R. Turner	COE-NWD-NP-WM-RCC
	Doug Arndt	COE-NWD-Portland
	Col. Randall Butler	COE-Portland District
	J. William McDonald	USBR-- Pacific Northwest Regional Director
	G. Delwiche, T. Lamb, R. MacKay	BPA-PG-5 and BPA-PGPO

FROM: Don Sampson, Executive Director

DATE: May 1st, 2001

SUBJECT: **Operation of the Lower Columbia Dams and Pools
During the Spring 2001 Ceremonial and Subsistence Treaty Fishery**

The Columbia River Inter-Tribal Fish Commission, on behalf of its member tribes the Nez Perce Tribe, the Yakama Nation, the Confederated Tribes of the Umatilla Reservation, and the Confederated Tribes of the Warm Springs Reservation, requests the following reservoir operations in Zone 6 (Bonneville to McNary dams) during the 2001 spring season Treaty fishery. Implement the following hydro-system operations during the ceremonial and subsistence Treaty fishery times as established by the Columbia River Compact and the tribes.

SPECIFICATIONS:

Implement the following operation for a short commercial treaty fishery:

May 4th, 2001 6 AM through 6 PM May 5th, 2001

- **Bonneville Pool.** Operate the pool within 1.0 foot from full pool (msl elevation 77 - 76)
- **The Dalles Pool.** Operate the pool within 1.0 foot (from msl elevation 159.5 - 158.5)
- **John Day Reservoir.** Operate the pool within 1.0 foot (from msl elevation 264.5 - 263.5)

JUSTIFICATION:

The 2001 spring Treaty fishing season is of unprecedented importance to CRITFC member tribes. The anticipated escapement of over 360,000 adult spring chinook will create harvest opportunities that tribal fishers have not realized in over sixty years, and many fishers will be exercising their treaty rights by participating in this harvest. Many cultural and religious ceremonies and practices will occur with the harvest of these salmon.

Lack of spill at Bonneville Dam this year has prevented eddy formation that moves adults to treaty platform sites. Platform catches are substantially lower than in past years. Treaty fishers are being denied access to adult salmon due to the lack of spill. In addition, lack of spill is causing increased mortality to out migrating listed and unlisted juvenile salmon and steelhead and is likely causing increased mortality to migrating steelhead kelts. Spill at Bonneville will protect these migrants to allow for increased exercise of treaty fishing in the future.

Under these extremely low water conditions it is critical that that pools are maintained to requested criteria to establish the best possible fishing conditions during the limited opportunity presented to tribal fishers to harvest these fish.

During a meeting at CRITFC's Law Enforcement Division in Hood River on September 2, 1999, tribal fishers explained the impacts of unstable pools and pools below full to the Treaty fishery to Colonel Mogren and Lt. Colonel Harshbarger. The tribal fishers explained that a pool fluctuation of 1.0 foot or more disrupts tribal fishery operations. Specific problems include: (1) Increased local currents that sweep debris into fishing nets, (2) Rapid 1-2 hour drops in water level will lead to entanglement of nets, (3) boat access problems, and (4) nets torn from their anchors. Nets and gear are costly to replace.

The fishers also stressed to Corps officials that much of the tribal fishers' income and food is generated during the brief treaty fishing season, so that any delays or disruptions to their fishing operations caused by the excessive pool fluctuations in Zone 6 negatively impact tribal incomes, food resources and cultural practices. Tribal poverty rates are significantly higher than that of the general population, due in part to lost opportunities to harvest salmon.

Implementing this request will insure that the Federal operating agencies meet their federal trust responsibilities to the Columbia Basin treaty tribes. If this SOR cannot be implemented, we request that the federal operators contact Don Sampson at CRITFC. In addition, we also request a detailed written response from the operators by May 4, 2001.